

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

R.A., JR., (a minor child, by and through)	
his Father and next best friend, Richard)	
Lemmel Arnold),)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 3:06-cv-337-WHA
)	
DEPUTY SHERIFF WALTER LACEY,)	
in his official and individual capacity,)	
)	
Defendant.)	

ORDER

On the 23rd day of May, 2007, after this cause had been presented to a jury, a verdict was returned as follows:

Do you find by a preponderance of the evidence:

1. That the Defendant intentionally committed acts that violated the Plaintiff's federal constitutional right not to be subjected to excessive force or unreasonable force during a seizure?

Answer Yes or No No

2. That the Defendant's acts were the proximate cause or legal cause of damage or harm sustained by the Plaintiff?

Answer Yes or No No

NOTE: If you answered "No" to either Question No. 1 or Question No. 2, skip the remaining questions and have your foreperson sign this verdict form at the bottom of the page. If you answered "Yes" to both Question No. 1 and Question No. 2, continue to Question No. 3.

3. That the Plaintiff should be awarded damages to compensate for the reasonable cost of medical care?

Answer Yes or No _____

If your answer is "Yes," in what amount? _____

- 4a. That the Plaintiff should be awarded damages to compensate for physical and emotional pain and mental anguish?

Answer Yes or No _____

If your answer is "Yes," in what amount? _____

OR

- 4b. That the Plaintiff should be awarded nominal damages in the amount of \$1.00.

Answer Yes or No _____

5. That the Defendant acted with malice or with reckless indifference to the Plaintiff's federally protected rights and that punitive damages should be assessed against the Defendant?

Answer Yes or No _____

If your answer is "Yes," in what amount? _____

SO SAY WE ALL.

/s/ Sarah Black

Foreperson

DATED: May 23, 2007

Therefore, in accordance with the verdict of the jury and with previous orders of the court granting summary judgment as to other claims, it is the ORDER, JUDGMENT and DECREE of the court that judgment be and it is hereby entered in favor of the Defendant, Deputy Sheriff Walter Lacey in his official and individual capacities, and against the Plaintiff, R. A., Jr. (a minor child, by and through his Father and next friend, Richard Lemmel Arnold). Costs are taxed against the Plaintiff.

DONE this 24th day of May, 2007.

/s/ W. Harold Albritton

W. HAROLD ALBRITTON

SENIOR UNITED STATES DISTRICT JUDGE